

Magistrate Judge Katherine A. Robertson has recommended the court (i) grant Defendant-Cross-claimant United Bank's Motion for Default Judgment as to Defendant, Lansal, Inc. (d/b/a

Hot Mama's Foods) pursuant to Fed. R. Civ. P. 55(c), and (ii) enter default judgment in the amount of \$260,525. After making payments to settle the claims brought by the plaintiffs, Get Fresh Produce, Harvest Food Group, and Fresh Cut Solutions, Defendant United Bank, filed a motion for default judgment upon on its cross-claim for indemnity on September 20, 2017. The motion was referred to Magistrate Judge Katherine A. Robertson. Following an evidentiary hearing held on November 16, 2017, Judge Robertson issued the instant Report and Recommendation ("R&R") on March 9, 2018, advising that an award should enter in favor of United Bank against Defendant Lansal, Inc. in the amount of \$260,525, an amount that includes the \$188,015 in payments United Bank made to the plaintiffs plus \$72,510 in attorney's fees.

Objections to the R&R were due on March 24, 2018. No objection was filed by any party. The court has reviewed the R&R, as well as the Plaintiff's original motion. Noting that no objections have been filed, the court, upon *de novo* review, hereby ADOPTS Judge Robertson's R&R (Dkt. No. 123).

The court, therefore, ALLOWS United Bank's Motion for Entry of Default Judgement (Dkt. No. 113). The Clerk is ordered to enter a judgment for United Bank and against Lansal, Inc. in the amount of \$260,525, plus interest calculated at 12% per annum on (i) \$70,000 of the principal calculated for the period from October 16, 2015 through the date of the judgment and (ii) \$118,015 of the principal calculated for the period from March 10, 2016 through the date of judgment. This case may now be closed.

It is So Ordered.

/s/ Mark G. Mastroianni
MARK G. MASTROIANNI
United States District Judge